IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2786 OF 2003
IN
FIRST APPEAL NO.2457 OF 2006

The State of Maharashtra ...Applicant
vs.
Kacharu Sakharam Avhad ...Respondent

Mr.A.R.Patil,A.G.P. for the State.

CORAM: A.S.OKA, J.
DATE : JANUARY 10,2007.

P.C.:

1. Heard learned A.G.P for the State.

2. The impugned Judgment and Award is in the nature of a money decree. Hence, unconditional stay cannot be granted.

3. The execution and operation of the impugned Judgment and Award will remain stayed till the final disposal of the First Appeal subject to condition of the Applicant depositing the entire amount due and payable as per the impugned Award with the Reference Court within a period of twelve weeks from today. If the deposit of entire amount is not made within stipulated period, the interim stay granted will stand forthwith vacated without further reference to the court.

4. If the amount as aforesaid is deposited, the Claimant will be permitted to withdraw the said amount subject to furnishing adequate security for the said amount to the satisfaction of the Reference Court. The Reference Court will hear the Applicant before accepting the security.

5. Civil Application is disposed of in above terms.

6. Liberty to the Respondent to apply for modification of this order as the same is passed without issuing notice of this Application.

JUDGE